DRAFT MINUTES

Superintendent's Advisory Committee Public Schools Accountability Act of 1999 Department of Education Building 1325 J Street, Room 1519 Sacramento, California

> September 23, 1999 9:00 a.m.

MEMBERS PRESENT

Ed Haertel, Acting Chair; Professor, Stanford University, School of Education

Sam Araki, Former President, Lockheed Martin Missiles & Space

Eva Baker, Director, Center for the Study of Evaluation, UCLA

Vicki Barber, El Dorado County Superintendent of Schools

Tom Boysen, Senior Vice President, Education, Milken Family Foundation

Sue Burr, Undersecretary, Office of the Secretary for Education

Mary Alice Callahan, President, Morgan Hill Federation of Teachers

General Davie, Jr., Superintendent, San Juan Unified School District

Patsy Estrellas, Teacher, Norwalk La Mirada School District/California Teachers Association

Bob Friedman, Chief Operations Officer, CSIS

Eugene Garcia, Dean, Graduate School of Education, University of California Berkeley

Janett Humphries, President, SEIU Local 99, Los Angeles Unified School District

Jere Jacobs, Former Assistant Vice President, Pacific Telesis

Kelvin Lee, Superintendent, Dry Creek Joint Elementary School, Acting Chair

Sidney Morrison, Principal, Arnold Elementary School/ACSA State President

Lynette Nyaggah, Teacher, Rio Hondo College

Dolores Ochoa, Parent, State Parent Advisory Board

Scott Plotkin, Chief Consultant and Staff Director, Senate Education Committee

Tamara Powers, Parent

Shelly Spiegel-Coleman, ESL Consultant, Los Angeles County Office of Education

Irene Sumida, Co-Director, Fenton Avenue Charter School

Rene Townsend, Professor/Consultant, CSU San Marcos, College of Education

Charles Weis, Ventura County Superintendent of Schools

Lynn Wilen, Superintendent, Reef Sunset Unified School District

MEMBERS ABSENT

Carl Cohn, Co-Chair; Superintendent, Long Beach Unified School District

Pat Pineda, Co-Chair; Vice President, Legal, Environmental, and Government Affairs, NUMMI

Rudy Castruita, San Diego County Superintendent of Schools

Holly Covin; Assistant Executive Director, Policy Analysis & Research, CSBA

Leslie DeMersseman, President, California School Boards Association

Javier Gonzales, Teacher, Pioneer High School

Jerry Hayward, Director, Policy Analysis for California Education

Jeanette Morgan, Director, Governmental Affairs, National Semiconductor Corporation Jeff Orlinsky, Teacher, Warren High School

Bill Ouchi, Vice-Dean, Anderson School, University of California at Los Angeles

Ernesto Ruiz, Director, Migrant Education, Region 2, Butte County Office of Education

Linda Strickland, Board Member, California School Employees Association

Rosie Thompson, Business Unit Executive, IBM Global Education

Arnie Ziegler, State Secretary, California State Parent-Teacher Association

MEMBER RESIGNED

Mike Aiello, Teacher, San Luis Obispo High School

STATE BOARD OF EDUCATION LIAISONS

Marian Bergeson (Present)

Susan Hammer (Absent)

PRINCIPAL STAFF TO THE ADVISORY COMMITTEE

William Padia, Director, Office of Policy and Evaluation Pat McCabe, Manager, Education Planning and Information Center Hanna Walker, Manager, District and School Support Division

<u>Call to Order</u>. In the absence of Mr. Cohn and Ms. Pineda, Mr. Haertel called the meeting to order at 9:00 a.m.

<u>Review of Materials</u>. Mr. Padia briefly reviewed the packet of materials given to the Committee members.

<u>Update on CSRD and II/USP</u>. Hanna Walker, Director, District and School Support Division, briefed the Committee on the current status of the CSRD and II/USP, including the lists of schools awarded grants and the list of External Evaluators. She also briefed the members on the External Evaluator conflict of interest issue.

• Ms. Estrellas called for input from organizations as to the nature of sanctions.

<u>Introductions</u>. At Mr. Haertel's invitation, the Committee members, staff, and audience introduced themselves.

<u>Technical Design Group</u>. Mr. Haertel summarized the issues addressed by the Technical Design Group (TDG), including the exclusion for English learners.

- Mr. Jacobs pointed out the problem of students moving between elementary and high school districts; they are not counted for API purposes during their first year (generally ninth grade) in the high school district. He pointed out that the situation is particularly absurd in elementary and high school district that have common administration. "This is not common sense when students are part of a district's regular feeder pattern."
- Mr. McCabe indicated that this circumstance occurs because of a legal requirement and results in the exclusion of about 120,000 students. Compromises were discussed when the legislation went through, but were not incorporated in the final bill. He noted certain of the proposed compromises.
- Mr. Plotkin pointed out that this issue included two types of circumstances, coadministered districts and districts with different administrations.
- Ms. Spiegel-Coleman asked if it would be possible to identify students in coadministered districts. Mr. McCabe suggested that could not be done in a comparable fashion now.
- Mr. Padia indicated that any change in this area at this point would take legislation.
- Mr. Jacobs asked that this issue be explicitly called to the State Board's attention and urge the State Board to move immediately to modify the STAR header sheet appropriately.
- Mr. Boysen asked for staff guidance on how to fix the problem.
- Mr. Haertel indicated that he would recommend against "retrofitting" the base year API.
- Robert Anderson, CDE Standards and Assessment Division, indicated that the STAR 2000 header sheets were soon to be printed. He indicated that the issue should go to State Board in October if any change is to be made.
- Ms. Barber suggested that there are ways to address this problem.
- Mr. Padia pointed out that there are mandated costs inherent in a fix to this
 problem, and that we need to ensure that data remain comparable from year to
 year.
- Mr. Haertel clarified the motion and called for the question
- ACTION: Mr. Jacobs moved that (1) the issue of the exclusion from the API of seventh and ninth grade students in non-unified districts, particularly elementary and high school districts with common administration, be explicitly brought to the attention of the State Board and (2) urge the State Board to modify the STAR

2000 header sheet to make possible a range of options in the future to respond to this problem. The motion was seconded by Mr. Boysen, and it was approved by unanimous vote of the Committee members present.

<u>Major Issues Considered by the TDG</u>. Mr. Haertel returned to his summary of issues addressed by the TDG, including absolute and relative comparisons of schools. Reference was made to the Milken-funded paper on security and accuracy issues surrounding the API. There was considerable discussion. Some major topics were:

- SAT 9 not closely aligned with California standards. Has just one form. Unclear how it will be revised. Items are not likely to remain secure.
- Matrix sampling would be better.
- Standard error analysis.
- API sources of error.
- Measurement error.
- Sampling of students.
- Some random error is cancelled out by virtue of including many of the same students from year to year in each school.
- Uncertainty with schools of small size. There is about a 25 API-point variance for schools of 100 student responses.
- We could improve accuracy by summing several years' data, but we have an annual process under law. However, sanctions only come after several years of missing targets and that should help buffer the accountability system.
- Mr. Jacobs indicated that he was worried about "the rewards side." It destroys morale when the undeserving are rewarded.
- Ms. Barber inquired whether significant growth in achievement could be masked
 by using quintiles instead of deciles. Mr. Haertel indicated that statistically it is
 highly unlikely that significant growth would be masked by using of quintiles.
- Mr. Araki expressed concern that rewards take too long to achieve. This prompted
 considerable discussion of potential manipulation of system. There was general
 agreement that manipulation was very complex and did not pose a real risk.

<u>Break</u>. Mr. Haertel called for the morning break at 10:16 a.m. He reconvened the meeting at 10:30 a.m.

<u>Further introductions</u>. Mr. Haertel invited those who had arrived during the earlier part of the meeting to introduce themselves.

<u>English Learner (EL) Students.</u> Mr. Haertel turned the discussion to the EL student issue. He pointed out that there was no technical basis to support an exclusion rule for English learners other than the rule applied to all students (a one-year exclusion).

- Mr. Garcia expressed serious concerns about including the scores of EL students at all, indicating that there could be other explanations for the results found by the TDG analysis.
- Mr. Haertel indicated that exclusion of EL students would be a serious problem in terms of school reactions.
- Ms. Baker commented on her surprise at the results of the data analysis.
- Mr. Garcia noted that the data show that re-designated EL students perform significantly better than do other EL (i.e., LEP) students.
- Ms. Baker indicated that illuminating research is now underway with the SAT 9.
- Mr. Jacobs asked if there is a body of work that needs to be done on research related to EL students.
- Ms. Baker suggested that there was a need to study this matter in more detail and prepare recommendations for State Board.
- Ms. Burr pointed out that litigation underway regarding EL students and the SAT
 9.
- Mr. Garcia indicated that "we don't need courts to tell us; we need to do what's right educationally."
- Mr. Jacobs echoed that thought. "We leave important decisions to the courts too
 often."
- Mr. Padia indicated that the forthcoming ELD assessment should be taken into account.
- Ms. Spiegel-Coleman indicated that the ELD assessment is designed to show growth. "We've opted for the lowest common denominator that remains consistent." ELD assessment is "not clean" but we should leave it in.
- Brian Stecher, TDG, indicated that the important thing is that two years' data remain the same.

- Ms. Callahan expressed concern about how data will be used, including the support for vouchers. If we buy in to premises that are flawed, then we are to blame for bad results.
- Mr. Morrison asked how we communicate that we are making a recommendation that data are flawed, but negative consequences will result. What are the "suboptimal" aspects of SAT 9 with respect to these pupils? This is not a trivial problem.
- Mr. Haertel pointed out that the Committee had several options: (1) accept the TDG recommendation; (2) say nothing; or (3) reaffirm the principle regarding valid, reliable information.
- Ms. Nyaggah expressed concern about being part of an advisory committee that would endorse testing of EL students for purposes of API.
- Ms. Spiegel-Coleman echoed that thought. It is wrong to test these kids. We need to make that explicit to the State Board.

Mr. Haertel turned the discussion to the draft API document, indicating that the Committee would discuss each section in turn, starting with the Introduction. There were some editorial suggestions.

- Mr. Araki asked if there were ways to prompt faster action on certain testing elements. There was considerable discussion of how to add a statement regarding English learners.
- Mr. Jacobs noted that the TDG data show that there are EL students who have been in school for years and not attained English language proficiency.

Mr. Haertel moved the group forward to the third and fourth pages of the draft.

- Mr. Garcia indicated that the group needed to recommend that EL students not be included in the API at all, and made a motion to that effect; Ms. Baker seconded.
- Ms. Kaminski, TDG, expressed concern about the reliability of data from SAT 9 in regards to EL students. However, she noted that educating these students must be enforced through other means.
- Mr. Haertel asked, "What are the consequences? That's the question."
- Ms. Kaminski suggested that including EL students could subject high-EL districts to a greater likelihood of a state takeover.
- Mr. Araki reminded the group that we're really looking at growth, not absolute level of performance.

- Mr. Padia indicated that the system is designed to judge improvement. Depriving local agencies of a student population with which they can show great improvement could place them at a disadvantage.
- Mr. Garcia indicated that substantive issues remain unresolved.
- Ms. Baker suggested that we have to figure out what we should recommend in the context of the overall plan for accountability. We don't want to imply that we want to undo the whole thing. We need to ask, "What are the big questions?" These are the things the State Board should address. What are the three or four burning issues? We should have the TDG work on those issues.

<u>Lunch</u>. Mr. Haertel interrupted the discussion at 11:53 a.m. for the lunch recess. He reconvened the meeting at 1:15 p.m.

Graduation and Attendance Rates Report. Lynn Baugher, Manager, California Basic Educational Data Systems, discussed the State Superintendent's "Report to the Governor and Legislature on Establishing School-Level Graduation and Attendance Rates." We need to accelerate CSIS implementation and collect individual records where necessary. Mr. Friedman reported on the CSIS survey response. About 80 percent of districts have automated systems, but not all are usable. The best approach is to have (1) reports from CSIS consortia where they exist; (2) where they don't exist, reports in CSIS-compatible format if possible, and (3) establish a secure website for reports from those who can't do either of the other options.

<u>Return to EL Student Issue</u>. Mr. Haertel indicated that the issue seemed clear, exclusion of EL students from the API. What does this group recommend? There was discussion as to how to count votes.

ACTION: Based upon Mr. Garcia's motion and Ms. Baker's second (earlier in the session) and the intervening discussion, Mr. Haertel placed the following question before the Committee, "Should the scores of English learner (LEP) students be excluded from the calculation of the 1999 and 2000 API?" He called for a show of hands. Fourteen voted in favor (yes); six voted against (no); and one abstained. [Those voting in favor of the motion were Committee members Baker, Barber, Callahan, Estrellas, Garcia, Lee, Morrison, Nyaggah, Ochoa, Spiegel-Coleman, Sumida, Townsend, Weis, and Wilen. Those voting against the motion were Committee members Araki, Boysen, Burr, Davie, Haertel, and Jacobs. Mr. Plotkin abstained.]

<u>Disaggregation of the Scores of EL Students</u>. Mr. Padia reviewed the legal requirements pertaining to this idea. Ms. Baker asked how we ensure attention is paid to these students. Ms. Burr commented that the STAR report breaks out EL (LEP) students' scores.

• Ms. Bergeson asked how the proposed change would affect schools now in the II/USP. Mr. Padia said it would not. Those schools have already been selected.

- Ms. Spiegel-Coleman suggested language regarding not testing EL students for a specified period of time.
- Ms. Barber proposed exclusion of SDC students whose IEPs call for SAT 9 testing. Otherwise, we might affect placement of the students. This prompted considerable discussion, but there was no consensus on the suggestion.
- Mr. Araki emphasized the need to move students to English proficiency as quickly as possible; that is the key to competition.

Mr. Haertel moved the group through the remainder of the draft API document. Although there was some discussion on other parts of the document, there was general agreement on the draft up to the next major item.

Comparable Improvement, Low Socioeconomic Students (Item 7B). Mr. Haertel presented the TDG recommendation to use parent education level only. He discusses reasons for not using free and reduced price lunch participation. Ms. Wilen argued for retention of free and reduced price lunch participation, as did Mr. Morrison, expressing concern about the under-counting of students if parent education level is used. Mr. Flores echoed that concern and presented figures as to the difference in the count with respect to the Long Beach Unified School District. Mr. Haertel pointed out that under-reporting does not create a serious problem, because growth is the important element and this is only part of the accountability system. Over-reporting, however, by the inclusion of high socioeconomic students (who participate in the free lunch through school-wide programs, which are becoming increasing common), would show higher than actual achievement by the group. There was extensive discussion. There was general agreement that there is no good answer to this problem. Eventually, Mr. Haertel concluded that the group consensus was to stick with the original definition, under which students would be counted as low socioeconomic if their STAR header information indicated qualification based on either (1) parent education or (2) free or reduced price lunch participation.

<u>School Characteristics Index (SCI)</u>. There was considerable discussion of the calculation of the SCI and the ten points (plus or minus) recommendation (Item 8). Mr. Haertel provided the details of how that recommendation had been reached. There was general consensus to accept it.

Other Issues/Concluding Comments.

- Mr. Lee indicated that we must be clear that this document was the effort of much thoughtful input, not just input from a few.
- Ms. Baker indicated that the group had to acknowledge the outstanding assistance of CDE staff.
- Mr. Morrison suggested that "the quality of the product speaks for itself." It will be very helpful in introducing ideas to the public.

- Mr. Padia noted the time line for producing API scores this fall. He also extended special appreciation to the members of the TDG, and commended Mr. Haertel for his leadership.
- Mrs. Bergeson extended the State Board's appreciation for the Committee's "remarkable work." The State Board is trying to work on these issues diligently and constructively. Although the State Board might not accept every recommendation, the Committee's help is invaluable.
- Mr. Padia noted that the presentation to the State Board would occur October 7 at 11:00 a.m. He encouraged Committee members who were available to attend.

Adjournment. Mr. Haertel adjourned the meeting at 3:04 p.m.

Respectfully submitted,

Greg Geeting Recording Secretary